

PATENT P56854

MAY 0 5 2006 ED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

JUN-HYUK LEE et al.

Serial No.:

10/657,278

Examiner:

FRAZIER, OWEN J.

Filed:

9 September 2003

Art Unit:

2687

For:

METHOD AND SYSTEM FOR USING EITHER PUBLIC OR PRIVATE

NETWORKS IN 1x EV-DO SYSTEM

PETITION TO RESET AND RESTART PERIOD FOR REPLY **DUE TO LATE RECEIPT OF A PTO ACTION**

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Applicant respectfully petitions and request to send a supplemental Office communication to the final Office action (Paper No. 060506) dated 13 April 2006, and reset and restart period to reply to the final Office action due to the late receiving of PTO action.

Folio: P56854 Date: 5/5/06 I.D.: REB/fw

STATEMENT OF FACTS

- 1. On 13 April 2006, the U.S. Patent & Trademark Office prepared and ostensibly issued a final Office action (Paper No. 030506) in the above-referenced patent application;
- 2. On 1 May 2006, Applicant's undersigned attorney received an envelope that contained the final Office action (Paper No. 030506) dated 13 April 2006;
- 3. The date stamp on the envelope is dated 13 April 2006, Postage Meter No. 0004205065.

REMARKS

With the guidance of the Petition's Office, applicant respectfully petitions under §710.06 of the MPEP (7th Ed., red.1, Feb 2000) to restart the previously set period for reply to the outstanding Office action from the date of receipt of the PTO action at the correspondence address, namely from the 13th of April 2006, states that:

- (A) this Petition is filed within two weeks of the date of receipt of the PTO action at the correspondence address;
 - (B) a substantial portion of the set reply period has elapsed on the date of receipt; and
- (C)a copy of the first page of the final Office action showing the date stamp of receipt attached by the undersigned attorney's docketing clerk, together with a copy of our list of incoming mails, and a copy of an envelop with the stamp showing the date, constitutes evidence establishing the date of receipt.

The date of receipt of the PTO action at the correspondence address was: 13 April 2006. The evidence being presented shows the customary date stamp applied by the undersigned attorney's docketing clerk and the accompanying letter confirms the Notice to the Commissioner previously issued by applicant's attorney of non-receipt.

RELIEF REQUESTED

Accordingly, the Commissioner is respectfully requested to:

- A. Immediately issue a supplemental Office communication to the final Office action (Paper No. 030506) to Applicant's undersigned attorney;
- B. Reset and restart period for reply to the final Office action; and
- C. Grant such other and further relief as justice may require.

Respectfully submitted,

Robert E. Bushnel

Attorney for the Applicant Registration No.: 27,774

1522 "K" Street N.W. Suite 300 Washington, D.C. 20005-1202 (202) 408-9040

Folio: P56854 Date: 5/5/06 I.D.: REB/fw

Enclosure:

a) Copy of the envelope dated 4/13/2006, Postage Meter No. 0004205065

b) Lists of communications received from the U.S. PTO between 4/13/2006 and 5/1/2006

P.O. BOX 1450 ALEXANDRIA, VA 22313-1450 IF UNDELIVERABLE RETURN IN TEN DAYS

OFFICIAL BUSINESS

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Docket No.	Serial No.	Mailed	Due date	
P57817	11/325,566	4/8/06		Assign.
D57722	11/325,560	4/8/06		
P57725	11/325,558	4/8/06		\checkmark
	11/089,153			FR
P57863	11/377,359	4/12/06		3
	09/621,009			Supp. Notice of Allow.
P56326	09/842,184	4/12/06		Supp. Notice of Allow. Maint. Fee.
P57017	10/855,597	4/11/06	47/11/06	OA
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P57668	11/232,432	4/6/06		Pab Notice
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P57663	11/239,692	4/6/06		
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P 57523	11/322,266	4/7/06		Assign
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P57441	11/322,265	4/7/06		;
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057552	11/313,784	4/13/06		AssigN.
057593	11/326,326	4/10/06		
D57655	11/330,232	4/10/06	·	2
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	10/644,014			Issue Notification.
	10/790,752	ł.	:	2
	10/073,153	1		Notice of Abandon.
P 57829	11/346,552	4/14/06	6/14/06	Missing Parts
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	11/368,599			FR.
P57641	11/385,825	4/17/06		
PS7875	11/389,032	4/17/06		
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P57841	11/389,030	4/17/06		
057854	11/386,662	4/17/06		·
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P57712	- 10/562,925	4/17/0k		<u> </u>
P57917	11/387,102	4/17/00	6/17/06	Missing Parts.
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056577	09/945,108	4/19/06		AA
X70)7	10/837, 708	4/19/06		Interview Summary.
.) /0.22 /	10/022,210	4/18/06		LET. Pat. NO. 7,031,320.
057094	11/405,014			SN
057203	11/405,014			
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D5759D	11/329,111	4/13/06		AssigN
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	11/330,252	4/13/06		AssigN
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	09/739,454			Maint. Fee Statement.
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P56661	10/140,289	4/20/06	7/20/06	OA
D 57266	10/980, 338	4/20/06	7/19/06	OA
P 57067	10/837,606	4/20/06	5/20/06	Restriction.
P56832	10/359,713	4/20/06	7/20/06	OA
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P56659	10/162,086	4/21/06	1/21/06		_
P56597	09/976,274	4/20/06	7/20/06	Issue Fee	
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D56181	09/685,138	3/30/06		Decision on Petition
P57618	11/249,574	4/24/06	5/24/06	Restr. Reg.
D56425A	10/387,442	4/25/06	7/25/06	Issue Fee.
	11/407,335			SN
	11/407,350	1		Š
	11/207,930			Notice of Publication
P57583	11/246,378	4/13/06		
P57604	11/219,820	4/13/06		
P57664	11/239,691	4/13/06		
P5734	11/203,991	4/13/06		·
P 57543	11/174,734	4/13/06		
P57607	11/244.110	4/13/06		
P57601	11/207,884	4/13/06		
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P57772	11/337,559	4/19/06		AssigN
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P57822	11/336,868	4/20/06		
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	76/581.174			Notice of Publication
	10/265,260			Issue Notification
P56315	10/044,934	4/26/06		
P56584	10/086,825	4/20/06		V
P57807	11/347,582	4/28/06		FR.
P57870	11/391,447	4/28/06		FR, Withdraw of Prev. Sent Notice
P57835	11/340,597	4/24/00		Assign
P57116	11/336,878	4/21/06		
P 56/76	09/651,782	4/28/06	, , ,	AA
P56854	10/6571278	4/13/06	7/13/06	FINAL DA
P56209 A	10/338,055	4/18/00	7/28/06	- OA
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